

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 12, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Bauer, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 5, 2006.**

MOTION: Stevens moved and Workman seconded approval of the minutes of the Board of Commissioners meeting held on December 5, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Heier abstained from voting. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, December 12, 2006.**

MOTION: Stevens moved and Heier seconded approval of all claims processed through December 12, 2006. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Recognition of Dave Kroeker for years of dedicated service to Lancaster County.

Kerry Eagan, Chief Administrative Officer, recognized Dave Kroeker, Budget and Fiscal Officer, for his dedicated service to the County, noting that it has been a privilege to work with him over the years.

The County Board presented Kroeker a plaque in appreciation of his service, leadership and commitment to the County.

4) **OLD BUSINESS:**

The Clerk read Old Business Items 4A through 4C into the record.

A. A resolution adopting a Post Employment Health Plan (PEHP) for Lancaster County elected officials and persons appointed to fill vacancies in Lancaster County elected offices. (R-06-0124)

B. An Employer Participation Agreement between Lancaster County and Nationwide Retirement Solutions for participation in the Post Employment Health Plan for Public Employees. The participation agreement authorizes Nationwide Retirement Solutions to act as the administrator of the plan and establishes a separate Post Employment Health Plan for Lancaster County Elected Officials and persons appointed to fill vacancies in Lancaster County elected offices. (C-06-0640)

C. A resolution defining benefits for Lancaster County elected officials and persons appointed to fill vacancies in Lancaster County elected offices. (R-06-0125)

MOTION: Hudkins moved and Heier seconded denial of Resolution 06-0124 adopting a Post Employment Health Plan (PEHP) for Lancaster County elected officials and persons appointed to fill vacancies in Lancaster County elected offices, denial of an Employer Participation Agreement between Lancaster County and Nationwide Retirement Solutions for participation in the Post Employment Health Plan for Public Employees and denial of Resolution 06-0125 defining benefits for Lancaster County elected officials and persons appointed to fill vacancies in Lancaster County elected offices.

4) **OLD BUSINESS CONTINUED:**

Hudkins stated that community input indicated they are not in favor of the proposals and that he feels the Board should honor those wishes.

Schorr submitted an email to Coby Mach, Lincoln Independent Business Association (LIBA), from Larry Dix, with the Nebraska Association of County Officials, dated November 28, 2006, indicating no other Nebraska counties offer a PEHP plan (Exhibit A).

Also submitted into the record were the following:

- ▶ Elected Officials Salary Review Committee Report and Recommendations regarding Post Employment Health Plan for Elected Officials, dated December 6, 2006. (Exhibit B)
- ▶ Minutes of the Elected Officials Salary Review Committee, dated December 6, 2006. (Exhibit C)

ROLL CALL: Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

5) **NEW BUSINESS:**

A. A resolution in the matter of adopting the 2030 Lincoln-Lancaster County Comprehensive Plan and Long Range Transportation Plan. (R-06-0131)

MOTION: Stevens moved and Workman seconded approval of Resolution 06-0131 in the matter of adopting the 2030 Lincoln-Lancaster County Comprehensive Plan and Long Range Transportation Plan. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

B. A resolution in the matter of Comprehensive Plan Conformance No. 06012: Adopting the One and Six-Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2007 and 2008-2012. (R-06-0130)

MOTION: Stevens moved and Hudkins seconded approval of Resolution 06-0130 in the matter of Comprehensive Plan Conformance No. 06012: Adopting the One and Six-Year Road and Bridge Construction Program for Lancaster County, Fiscal Years 2007 and 2008-2012.

5) **NEW BUSINESS CONTINUED:**

In response to a question asked by Hudkins, Don Thomas, County Engineer, stated North 141st Street would not be placed on standby.

Hudkins stated it was his understanding that it would be.

MOTION: Hudkins moved and Workman seconded to place North 141st Street from Raymond Road to Davey Road on standby for possible paving.

Schorr inquired about cost to pave North 141st Street.

Thomas stated the cost would be approximately \$150,000.

Schorr also inquired about the traffic count on North 141st Street.

Thomas stated it was approximately 250 to 300 vehicles. He added he would have a more current count for the Board at the Staff Meeting on December 14th.

ROLL CALL ON SECOND MOTION: Workman, Hudkins, Heier and Stevens voted aye. Schorr voted no. Motion carried.

ROLL CALL ON ORIGINAL MOTION: Hudkins, Heier, Workman, Stevens and Schorr voted aye. Motion carried.

C. A resolution in the matter of declaring projects under Neb. Rev. Stat. § 23-120, as amended, and imposing levy for the costs and indebtedness for such projects. (R-06-0129)

MOTION: Heier moved and Workman seconded approval of Resolution 06-0129 in the matter of declaring projects under Neb. Rev. Stat. § 23-120, as amended, and imposing levy for the costs and indebtedness for such projects. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

D. A resolution authorizing the installation of traffic signs at the following locations: (R-06-0133)

- ▶ At the intersection of Northwest 27th Street and West Branched Oak Road, install a 'Yield' sign on Northwest 27th Street for northbound traffic
- ▶ At the intersection of North 134th Street and Rock Creek Road, install a 'Stop' sign on North 134th Street for northbound traffic
- ▶ At the intersection of North 148th Street and Rock Creek Road, install a 'Stop' sign on North 148th Street for southbound traffic

MOTION: Workman moved and Stevens seconded approval of Resolution 06-0133 authorizing the installation of traffic signs. Heier, Stevens, Hudkins, Workman and Schorr voted aye. Motion carried.

E. A Region V Network Provider contract for services under the Projects for Assistance in Transition from Homelessness (PATH) grant program. The County, through the services of the Community Mental Health Center, will provide outreach services, community mental health services, screening and diagnostic services. The term of the contract is October 1, 2006 to September 30, 2007. The County will be compensated up to \$32,500 for the services and the County is required to match \$10,833 in cash or in kind. (C-06-677)

MOTION: Heier moved and Hudkins seconded approval of a Region V Network Provider contract for services under the Projects for Assistance in Transition from Homelessness (PATH) grant program. Workman, Hudkins, Stevens, Heier and Schorr voted aye. Motion carried.

F. An interlocal agreement with Saline County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Lancaster County will be reimbursed \$244.50 per youth, per day. The agreement is effective upon execution and has a 30 day termination provision. (C-06-0678)

MOTION: Heier moved and Stevens seconded approval of an interlocal agreement with Saline County for the safekeeping, care and sustenance of juveniles while at the Youth Services Center. Stevens, Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

G. An agreement with Diabetic Outreach to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. The agreement sets forth a reimbursement arrangement in which the County will provide payment for the medical care and the facilities will reimburse the County if/when the General Assistance client is later determined eligible for Medicaid reimbursement. The agreement is effective upon execution of both parties and contains a 30-day termination provision. (C-06-0679)

MOTION: Stevens moved and Workman seconded approval of an agreement with Diabetic Outreach to provide specialized medical care and assistance to Lancaster County General Assistance clients who have pending claims with the Social Security Administration and may be eligible for retroactive Medicaid benefits. Hudkins, Stevens, Heier, Workman and Schorr voted aye. Motion carried.

H. A subdivision agreement between Lancaster County, the City of Lincoln and Brush Creek Estates, L.L.C. for County Final Plat No. 06113 and City Final Plat No. 06111, Brush Creek Estates, on property generally located at South 54th Street and Wittstruck Road. (C-06-0682)

MOTION: Stevens moved and Workman seconded approval of a subdivision agreement between Lancaster County, the City of Lincoln and Brush Creek Estates, L.L.C. for County Final Plat No. 06113 and City Final Plat No. 06111, Brush Creek Estates, on property generally located at South 54th Street and Wittstruck Road. Stevens, Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

I. An agreement with the Law Office of Joy Shiffermiller for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Term of the agreement is January 1, 2007 through December 31, 2009. The County will pay \$243,000 for the services over the three year term. (C-06-0683)

MOTION: Stevens moved and Heier seconded approval of an agreement with the Law Office of Joy Shiffermiller for the representation of indigent parents and juveniles in the Separate Juvenile Court of Lancaster County. Hudkins, Stevens, Heier, Workman and Schorr voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

J. Amended Attachments "B" and "C" to the State of Nebraska Health and Human Services Subgrant Terms and Assurance for the Targeted Assistance Discretionary Grant Program approved on October 24, 2006, under County Contract C-06-0574. The revised attachments reference the new federal audit requirement of \$500,000 or greater. (C-06-0684)

MOTION: Hudkins moved and Stevens seconded approval of amended Attachments "B" and "C" to the State of Nebraska Health and Human Services Subgrant Terms and Assurance for the Targeted Assistance Discretionary Grant Program approved on October 24, 2006, under County Contract C-06-0574. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

K. A letter to Hasler, Inc. verifying the terms and conditions of the postage meter rental agreement approved by the County Board on November 21, 2006, under County contract No. C-06-0627. The letter is required by Hasler, Inc. in order to go forward with a purchase of a postage meter for Property Management.

MOTION: Hudkins moved and Stevens seconded approval of a letter to Hasler, Inc. verifying the terms and conditions of the postage meter rental agreement approved by the County Board on November 21, 2006, under County contract No. C-06-0627. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

6) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and Place on File:

1. Clerk of the District Court's Monthly Report for November, 2006.
2. County Clerk's Monthly Report for November, 2006.
3. Accountants' Report and Financial Statements for the Lincoln/Lancaster County Convention and Visitors Bureau for Year Ended June 30, 2006.

6) **CONSENT ITEMS CONTINUED:**

B. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following:

- ▶ Dale E. Harlan, in the amount of \$9,797, on South 82nd Street from Panama Road to Hickman Road; Project C55-SX-404(2). (C-06-0680)
- ▶ Bruce B. Johnson, in the amount of \$1,437, at 15250 Garden Street, Bennet, NE; Project Bridge R-156. (C-06-0681)

MOTION: Stevens moved and Workman seconded approval of the Consent Items. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

7) **OTHER BUSINESS:**

Stevens asked if the Staff Meeting on December 14th would begin at 8:30 a.m. or 8 a.m..

Eagan responded it would begin at 8:00 a.m..

8) **ADJOURNMENT:**

MOTION: Stevens moved and Heier seconded adjournment of the Board of Commissioners meeting at 10 a.m.. Heier, Workman, Stevens, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 12, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins
Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Patricia Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 10 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 5, 2006.**

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting held on December 5, 2006. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 51 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Stevens moved and Workman seconded approval of the additions and deductions to the tax assessment rolls. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

School Sisters of Christ the King

MOTION: Heier moved and Hudkins seconded approval of the motor vehicle tax exemption for School Sisters of Christ the King. Workman, Hudkins, Heier, Stevens and Schorr voted aye. Motion carried.

4) **APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR:**

Investors Title Insurance Company

Norm Agena, County Assessor/Register of Deeds, recommended the appeal filed on a ten percent penalty be denied.

MOTION: Stevens moved and Heier seconded to accept the recommendation of the County Assessor/Register of Deeds and deny the appeal filed on a penalty assessed on personal property for Investors Title Insurance Company. Workman, Stevens, Hudkins, Heier and Schorr voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Stevens moved and Hudkins seconded adjournment of the Board of Equalization meeting at 10:02 a.m.. Stevens, Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk